

RECEIVED

FEE PAID 10.00

12-7-98
AK

For Ecology Use

Fee Paid 10.00

Date 12-8-98

State of Washington

Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name James Rogers, Trustee of Gladys Cook Charitable Unitrust Home Tel: (425) 771 - 5391
Mailing Address 600 Stewart St., Suite 1919 Work Tel: (206) 676 - 8114
City Seattle State Wa. Zip+4 98101 + 1219 FAX: (206) 441 - 6752

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

☒ Same as above

Name Jim Rogers Home Tel: (425) 771 - 5391
Mailing Address 600 Stewart St., Suite 1919 Work Tel: (206) 676 - 8114
City Seattle State Wa. Zip+4 98101 + 1219 FAX: (206) 441 - 6752
Relationship to applicant Same Trustee

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than .02 (☐ gallons per minute or ☒ cubic feet per second) from a ☐ surface water source or ☐ ground water source (check only one) for the purpose(s) of single domestic supply - continuously. ATTACH A "LEGAL"

DESCRIPTION OF THE PLACE OF USE. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient. See attachment: Whatcom Co. Assessor's Record & also Statutory Warranty Deed
Estimate a maximum annual quantity to be used in acre-foot per year: _____

☐ Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:

From ____/____/____ to ____/____/____

Section 4. WATER SOURCE

If SURFACE WATER	If GROUNDWATER
Name the water source and indicate if stream, spring, lake, etc. If unnamed, write "unnamed spring," "unnamed stream," etc.: <u>Lake Whatcom</u>	A permit is desired for _____ well(s).
Number of diversions: <u>1</u>	
Source flows into (name of body of water): <u>Whatcom Creek</u>	Size & depth of well(s):

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:

1600' West and 850' South from N.E. corner of Section 5, T37N, R4E

1/4 of	1/4 of	Section	Township	Range (E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
<u>NE</u>	<u>NE</u>	<u>5</u>	<u>37 N</u>	<u>4 E</u>	<u>Whatcom</u>	<u>11</u>		<u>Nixon Beach Tracts</u>

For Ecology Use Date Received: 12-8-98 Priority Date: 12-8-98
SEPA: Exempt/Not Exempt FERC License # _____ Dept. Of Health # _____
Date Accepted As Complete 12-15-98 By AK Date Returned _____ By _____ WRIA: 1

Section 5. GENERAL WATER SYSTEM INFORMATION

- A. Name of system, if named: _____
- B. Briefly describe your proposed water system. (See instructions.)
1 1/2" intake line extending 75' into lake--screened to prevent fish entrapment. 1 1/2 horsepower pump on shore to provide water to property.
- C. Do you already have any water rights or claims associated with this property or system? ☐ YES ☒ NO
PROVIDE DOCUMENTATION.

Section 6. DOMESTIC/PUBLIC WATER SUPPLY SYSTEM INFORMATION (Completed for all domestic/public supply uses.)

- A. Number of "connections" requested: 1 Type of connection Single domestic
(Homes, Apartment, Recreational, etc.)
- B. Are you within the area of an approved water system? ☐ YES ☒ NO
If yes, explain why you are unable to connect to the system. Note: Regional water systems are identified by your County Health Department.

Complete C. and D. only if the proposed water system will have fifteen or more connections.

- C. Do you have a current water system plan approved by the Washington State Department of Health? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.
- D. Do you have an approved conservation plan? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION (Completed for all irrigation and agriculture uses.)

- A. Total number of acres to be irrigated: _____
- B. List total number of acres for other specified agricultural uses:
Use _____ Acres _____
Use _____ Acres _____
Use _____ Acres _____
- C. Total number of acres to be covered by this application: _____
- D. Family Farm Act (Initiative Measure Number 59, November 3, 1977)
Add up the acreage in which you have a controlling interest, including only:
‡ Acreage irrigated under water rights acquired after December 8, 1977;
‡ Acreage proposed to be irrigated under this application;
‡ Acreage proposed to be irrigated under other pending application(s).
1. Is the combined acreage greater than 2000 acres? ☐ YES ☐ NO
2. Do you have a controlling interest in a Family Farm Development Permit? ☐ YES ☐ NO
If yes, enter permit no.: _____
- E. Farm uses:
Stockwater - Total # of animals _____ Animal Type _____ (If dairy cattle, see below)
Dairy - # Milking _____ # Non-milking _____

APPLICATION

LEE DAVID

Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water?

☐ YES ☒ NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

From Highway 5 Exit 255 onto Sunset Drive (or East 542) and continue east for approximately 6 to 7 miles. Exit at Y Road, continue on it for 3 to 4 miles and turn left on North Shore Road at the lake. Continue for approximately 2 to 3 miles to a Dead End.

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.)

See attachment.

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used? ☐ YES ☐ NO

If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

Owned by Gladys Cook Charitable Unitrust, The Trustee is Mr. James Rogers,

600 Stewart St., Suite 1919, Seattle, Wa., 98101-1219. We are going to sell

the property and we hope to sell it with a water right or, at least, a pending application.

B. Does the applicant own the land on which the water source is located? ☐ YES ☒ NO

If no, submit a copy of agreement:

See attachment: Form SS-4, identifying James Rogers as Trustee

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.

X *James Rogers, Trustee*
Applicant (or authorized representative)

Same

Landowner for place of use (if same as applicant, write "same")

12-1-98
Date

Date

Use this page to continue your answers to any questions on the application. Please indicate section number before answer.

We are returning your application for the following reason(s):	
_____ Examination fee was not enclosed	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128
_____ Section number(s) _____ is/are incomplete	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation: 	
Please provide the additional information requested above and return your application by _____ _____ (date).	

Ecology staff _____ Date _____

Ecology is an Equal Opportunity and Affirmative Action employer.

To receive this document in alternative format, contact the Water Resources Program at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).

Statutory Warranty Deed

Thron
Cook

RECORDED

John Cook
1955 JUN -4 PM 3:41
28 PAGE 969
Shirley Toulaf

WHATCOM COUNTY TITLE CO.

102 North Commercial St. - Phone
BELLINGHAM, WASHINGTON

WASHINGTON
TITLE INSURANCE
COMPANY

SEATTLE, WASHINGTON

Mail to *John Cook*
1419 Front St.
Lynden, Wash.
Send Tax Statement to

200

344203

FORM L58

Statutory Warranty Deed

THE GRANTOR S, MARGARET LUCILLE NIXON and WILLIAM THOMAS NIXON
husband and wife

for and in consideration of FIVE THOUSAND DOLLARS

in hand paid, conveys and warrants to JOHN COOK and GLADYS COOK, husband and wife,

the following described real estate, situated in the County of Whatcom, State of Washington:

Lot 11, "Nixon Beach Tracts," Whatcom County, Washington,
as per the map thereof, recorded in Book 7 of Plats, page 71
in the Auditor's office of said county and state.

COPY



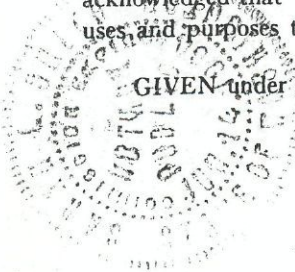
Dated this 11th day of May, 1962.

William Thomas Nixon (SEAL)
Margaret Lucille Nixon (SEAL)

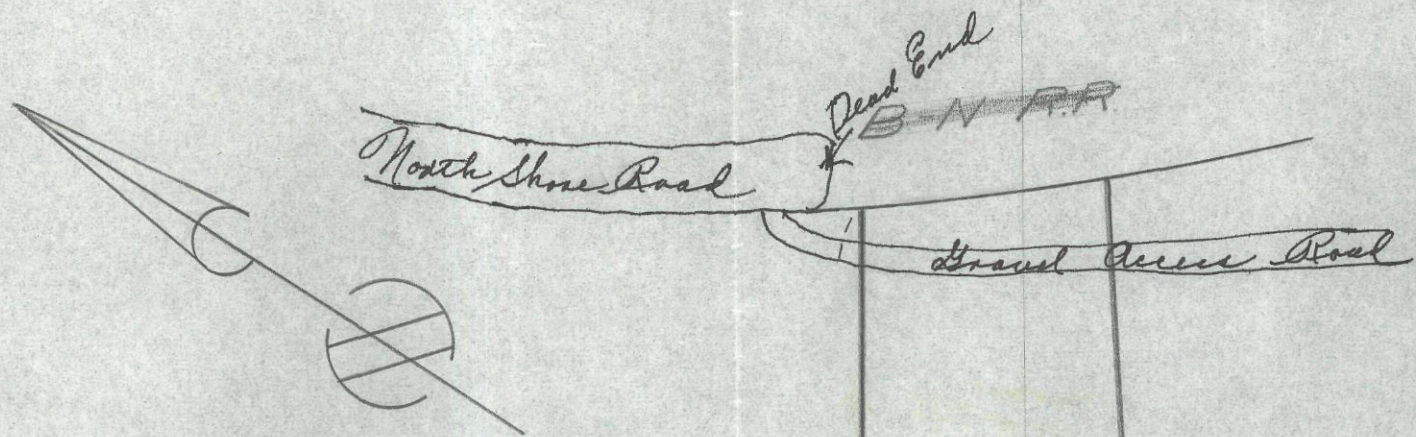
STATE OF WASHINGTON, }
County of Whatcom } ss.

On this day personally appeared before me Margaret Lucille Nixon and William Thomas Nixon
to me known to be the individuals described in and who executed the within and foregoing instrument, and
acknowledged that they signed the same as their free and voluntary act and deed, for the
uses and purposes therein mentioned.

GIVEN under my hand and official seal this 11th day of May, 1962.



Sarah L. Smith
Notary Public in and for the State of Washington,
residing at Bellingham.



300' ±
Lot 11

50' ±

100'

T 37 N
R 4 E
Sec. 5
Lot 11
Neon Beach
Tracts

1600' East and
850' North to
N.E. corner of
Section 5, T 37 N,
R 4 E

Pump

Intake
line

75 ft

Fish
screen

LAKE WHATCOM

Neon Beach Tract Township 37 N, Range 4 E, Sec 5

SCALE: 1" = 30'

APPROVED BY:

DRAWN BY

DATE:

REVISED